IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Crim. Appln.No.1046 of 2005

Shri Chandrakant Gangadhar Amrutkar ..Applicant

vs.

Shri Dharma Narayan Shewale and Ors. ..Respondents

Shri M.N. Sandhyanshiv for applicant.
Shri V.B.Konde Deshmukh, A.P.P. for respondent no.2

CORAM: A.M.KHANWILKAR J.
22nd December,2005

P.C.

1. Heard. The grounds raised before this court can be effectively answered by the Revisional Court.

1. As alternative efficacious remedy is available to the applicants by way of revision before the Sessions Court in view of the decision of this Court in case of V.K.Jain and others Vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778, and unreported decision of this court in Criminal W.P.No.1023 of 2005 dated 8th December, 2005 in the case of Chetan R.Nagda and Ors. Vs.N.D.Pawar and anr., counsel for the applicant fairlay prays for withdrawal of the application with liberty to take recourse to remedy of revision. Hence, dismissed as withdrawn with liberty as prayed. All questions are left open.

3. The applicant to file such revision application within four weeks from today. Till such time, no precipitative action be taken against the applicant. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

4. In case, there is any delay in filing Revision Application, Court will take into account the fact that the petitioner had first approached this Court, which period may be excused in computing delay.

5. Application disposed of on the above terms.